

RECEIVED  
CENTRAL FAX CENTER

OCT 12 2006

Docket No.: 073678-0026

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Customer Number: 31824  
Christopher Robert BEBBINGTON et al. : Confirmation Number: Not Yet Assigned  
Application No.: 10/585,149 : Group Art Unit: Not yet assigned  
Filed: June 30, 2006 : Examiner: Not yet assigned  
For: TRANSACTIVATION SYSTEM FOR MAMMALIAN CELLS

**CERTIFICATE OF TRANSMISSION (UNDER 37 CFR 1.8(a)(1))**

I hereby certify that on October 12, 2006, this document and all listed attachments are being transmitted via facsimile to (571) 273-8300, Attn: Mail Stop Amendment, known to me to be the USPTO Patent Central FAX Number. At Palo Alto, California.

  
PATRICIA A. BADERO

**PRELIMINARY AMENDMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Prior to examination of the above-referenced application, please amend the application as follows:

**Amendments to the Claims** begin on Page 2 of this paper.

**Remarks / Arguments** begin on page 12 of this paper.

Docket No.: 073678-0026

**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of : Customer Number: 31824  
 Christopher Robert Bebbington, et al. : Confirmation Number: Not Yet Assigned  
 Serial No.: 10/585,149 : Group Art Unit: Not Yet Assigned  
 Filed: June 30, 2006 : Examiner: Not Yet Assigned

**RECEIVED**  
**CENTRAL FAX CENTER**  
**OCT 12 2006**

For: **TRANSACTIVATION SYSTEM FOR MAMMALIAN CELLS**

Mail Stop Amendment  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is an Preliminary Amendment in the above-identified application.

- ☐ No additional fee is required.  
☐ Applicant is entitled to small entity status under 37 CFR 1.27  
☐ Also attached:

The fee has been calculated as shown below:

	NO. OF CLAIMS	HIGHEST PREVIOUSLY PAID FOR	EXTRA CLAIMS	RATE	FEE
Total Claims	62	47	15	\$50.00 =	\$750.00
Independent Claims	9	3	6	\$200.00 =	\$1200.00
Multiple claims newly presented					\$0.00
Fee for extension of time					\$0.00
					\$0.00
Total of Above Calculations					\$1950.00

- ☒ Please charge my Deposit Account No. 502203 in the amount of \$1950.00. An additional copy of this transmittal sheet is submitted herewith.
- ☒ The Commissioner is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment, to Deposit Account No. 502203, including any filing fees under 37 CFR 1.16 for presentation of extra claims and any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

McDERMOTT WILL &amp; EMERY LLP

*Michelle Cai*  
 Michelle Z. Cai  
 Registration No. 50,599

600 13<sup>th</sup> Street, N.W.  
 Washington, DC 20005-3096  
 Phone: 202.756.8000 WC:pab  
 Facsimile: 202.756.8087  
 Date: **October 12, 2006**  
 MPK 116399-1.073678.0026

Please recognize our Customer No. 31824 as our  
 correspondence address.

**McDermott  
Will & Emery****RECEIVED  
CENTRAL FAX CENTER****OCT 12 2006**Boston Brussels Chicago Düsseldorf London Los Angeles Miami Munich  
New York Orange County Rome San Diego Silicon Valley Washington, D.C.**FACSIMILE****Date:** October 12, 2006**Time Sent:**

<b>To:</b>	<b>Company:</b>	<b>Facsimile No:</b>	<b>Telephone No:</b>
Mail Stop Amendment	U.S. Patent and Trademark Office	1.571.273.8300	
<b>From:</b>	Michelle Z. Cai	<b>Direct Phone:</b>	650.813.5052
<b>E-Mail:</b>	mcai@mwe.com	<b>Direct Fax:</b>	650.813.5100
<b>Sent By:</b>	Patricia A. Balero	<b>Direct Phone:</b>	650.813.4608
<b>Client/Matter/Tkpr:</b>	073678-0026/9341	<b>Original to Follow by Mail:</b>	No
		<b>Number of Pages, Including Cover:</b>	15

**Re:****Message:****Attachments:**Transmittal Sheet (1 pg.)  
Preliminary Amendment (13 pgs.)**Deposit Account Fee Description: (3) - \$1,950.00**

The information contained in this facsimile message is legally privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copy of this facsimile is strictly prohibited. If you have received this facsimile in error, please notify us immediately by telephone and return the original message to us at the below address by mail. Thank you.

**IF YOU DO NOT RECEIVE ALL OF THE PAGES, PLEASE CALL AS SOON AS POSSIBLE.**

Main Facsimile: 650.813.5100 Facsimile Operator: 650.813.5000

U.S. practice conducted through McDermott Will &amp; Emery LLP.

3150 Porter Drive Palo Alto, California 94304-1212 Telephone: 650.813.5000